

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. CROIX**

	)	
UNITED STATES OF AMERICA, and	)	
THE UNITED STATES VIRGIN ISLANDS,	)	
	)	
Plaintiffs,	)	
	)	Civ. No. 1:11-cv-00006 (RAM/EAH)
v.	)	
	)	
HOVENSA L.L.C.	)	
	)	
Defendants.	)	
	)	

**DECLARATION OF MYLES E. FLINT, II IN SUPPORT OF THE UNITED STATES' RESPONSE TO PORT HAMILTON MOTION FOR INFORMAL STATUS CONFERENCE**

I, Myles E. Flint, II, declare as follows:

1. I am a Senior Counsel with the Environmental Enforcement Section of the United States Department of Justice.

2. Exhibit 1 to this Declaration is a true and correct copy of a May 18, 2023 cover email, without attachments, from the undersigned to all counsel in this matter.

3. Exhibit 2 of this Declaration is a true and correct copy of an April 13, 2021 letter from Limetree Bay Terminals, LLC and Limetree Bay Refining, LLC to EPA and the Virgin Islands Department of Planning and Natural Resources.

4. Exhibit 3 of this Declaration is a true and correct copy of a March 2, 2022 letter, without attachments, from the undersigned to counsel for Port Hamilton and then counsel for West Indies.

5. Exhibit 4 to this Declaration is a redacted, true, and correct copy of a February 23, 2022 letter from Port Hamilton's counsel to the United States. The letter has been redacted

because Port Hamilton indicated that the letter contains confidential business information.

6. Exhibit 5 to this Declaration are true and correct copies of the February 21, 2022 and May 30, 2022 weekly reports that Port Hamilton submitted to EPA.

7. Exhibit 6 to this Declaration are true and correct copies of the June 6, 2022 and June 20, 2022 weekly reports that Port Hamilton submitted to EPA.

8. Exhibit 7 to this Declaration are true and correct copies of the June 27, 2022 and April 24, 2023 weekly reports that Port Hamilton submitted to EPA.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

s/ Myles E. Flint, II

**EXHIBIT 1 TO  
DECLARATION OF MYLES E. FLINT, II IN SUPPORT OF THE UNITED  
STATES' RESPONSE TO PORT HAMILTON MOTION FOR INFORMAL  
STATUS CONFERENCE**

**From:** [Flint, Myles \(ENRD\)](#)  
**To:** [Morrison, Matthew W.](#); [Julie R. Domike Esquire \(jdomike@babstcalland.com\)](#); [Corinne Virginia Snow - Vinson & Elkins LLP \(csnow@velaw.com\)](#); [mkoks@munsch.com](#)  
**Cc:** [Sebor, Stephanie](#); [Pamela Tepper](#); [Froikin, Sara \(she/her/hers\)](#); [Amri, Sara](#); [Dykes, Teresa](#); [Mills, Flaire](#)  
**Subject:** United States and U.S. Virgin Islands v. HOVENSA, LLC matter  
**Date:** Thursday, May 18, 2023 2:20:00 PM  
**Attachments:** [ENV ENFORCEMENT-#3225087-v1-HOVENSA Limetree Stipulation adding parties.DOCX](#)  
[ENV ENFORCEMENT-#3225086-v1-HOVENSA LimetreeBay Third Modification.DOCX](#)

---

Counsel,

Attached are the two documents that represent the United States' and the U.S. Virgin Islands' position on next steps in the *United States and the U.S. Virgin Islands v. HOVENSA, L.L.C.* matter.

The first document is a stipulation between the U.S., West Indies, Port Hamilton, and the Transition Refinery Entity where they agree to become parties to the case. I do not believe that all the parties need to be signatories to this document.

The second document is a proposed Third Modification of the CD where West Indies, Port Hamilton, and the Transition Refinery agree to become parties to the Consent Decree. While the United States and the Virgin Islands recognize that additional modifications (such as separating Limetree Bay Terminals / OPT's obligations from the obligations of West Indies / Port Hamilton / Transition Refinery Entity) will be necessary, we are not interested in discussing those modifications until West Indies, Port Hamilton, and the Transition Refinery Entity are parties to the consent decree as required by the bankruptcy Sale Order and the bankruptcy Plan Order. The modification will need to be signed by all parties and submitted to the court for approval.

The United States and the U.S. Virgin Islands request comments on the attached documents by June 6<sup>th</sup>.

Thank you,  
Myles

*Myles E. Flint, II*  
Senior Counsel  
Environmental Enforcement Section

Environment & Natural Resources Division  
U.S. Department of Justice  
(o) (202) 307-1859  
(c) (202) 532-3377

**EXHIBIT 2 TO  
DECLARATION OF MYLES E. FLINT, II IN SUPPORT OF THE UNITED  
STATES' RESPONSE TO PORT HAMILTON MOTION FOR INFORMAL  
STATUS CONFERENCE**



April 13, 2021

**BY MAIL**

Director, Division of Environmental  
Protection  
Virgin Islands Department of Planning and  
Natural Resources  
45 Estate Mars Hill  
Frederiksted, St. Croix, U.S. Virgin Islands  
00840-4474

**BY ELECTRONIC MAIL**

Honorable Jean-Pierre L. Oriol  
Commissioner  
Division of Environmental Protection  
4607 Tutu Park Mall  
Charles Turnbull Regional Library  
St. Thomas VI 00802  
U.S. Virgin Islands

Director  
Air Enforcement Division  
Office of Civil Enforcement (2242A)  
Office of Enforcement and Compliance  
Assurance  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., N.W.  
Washington, DC 20044

Director  
Air Enforcement Division  
Office of Civil Enforcement  
c/o Matrix New World Engineering, Inc.  
26 Columbia Turnpike, Suite 200  
Florham Park, NJ 07932-2213

Director  
Enforcement and Compliance Assistance  
Division  
U.S. EPA Region 2  
290 Broadway, 21st Floor  
New York, NY 10007-1866

United States Environmental Protection  
Agency  
Region 2  
Office of Regional Counsel  
290 Broadway  
New York, NY 10007

Director, Caribbean Environmental  
Protection Division  
U.S. EPA Region 2  
City View Plaza II, Suite 7000  
#48 Rd. 165 km 1.2  
Guaynabo, PR 00968-8069

[jp.oriol@dpnr.vi.gov](mailto:jp.oriol@dpnr.vi.gov)  
[foley.patrick@epa.gov](mailto:foley.patrick@epa.gov)  
[patel.harish@epa.gov](mailto:patel.harish@epa.gov)  
[jmack@matrixnewworld.com](mailto:jmack@matrixnewworld.com)

**1 ESTATE HOPE • CHRISTIANSTED, VI 00820 • TEL: 340-692-3000**

April 13, 2021  
Page 2

**Re: Recordkeeping and Reporting for First Year of Operations**

To Whom It May Concern:

Limetree Bay Refining, LLC and Limetree Bay Terminals, LLC (collectively “Limetree”) are submitting this report in accordance with Subparagraphs 50C.b and 50B.b.iii. of the First Modification of the Consent Decree (Civil Action No. 1:11-CV-00006).

Restart of the FCCU Low Pressure Flare occurred on September 15, 2020, and the first six-month period ended on March 14, 2021. Flare 3 has not been restarted. The following information is being submitted within 30 days of the end of the first six-month block period after Restart of the FCCU Low Pressure Flare in accordance with Subparagraph 50C.b.

- **Subparagraph 50C.b.i.:** The quantity of all gases in scfd sent to each flare for the period covering the six-month block period preceding the date of the report, on both a cumulative and per-day basis.

*See Attachment A under the heading “VG FLOWT” for the cumulative and per-day flow data for the FCCU Low Pressure Flare. No gases were sent to Flare 3.*

- **Subparagraph 50C.b.ii.:** The quantity of hydrogen from initial reformer restart combusted in the FCCU Low Pressure Flare on both a cumulative and per-day basis.

*See Attachment A under the heading “PLT4FLWH.”*

Limetree operates a flow meter on the FCCU Low Pressure Flare to measure the flow of vent gas to the flare (“vent gas flow meter”) and a flow meter on the #4 Platformer recycle gas stream to the flare (“Plat 4 flow meter”), which is used in conjunction with lab analysis to quantify the hydrogen flow to the FCCU Low Pressure Flare from Plat 4. High hydrogen levels in the vent gas lowered the molecular weight of the vent gas causing inconsistent readings from the vent gas flow meter. This impact was confirmed by the manufacturer of the flow meter.

During time periods when vent gas flow meter data were inconsistent, an engineering estimation procedure was used to determine the vent gas flow by relying on measurements from the Plat 4 flow meter, lab analysis of the stream composition from the reformer to the FCCU Low Pressure Flare, and the hydrogen content of the vent gas measured by the mass spectrometer at the vent gas header to the flare. This estimation procedure is used to address inaccuracies in the vent



April 13, 2021

Page 3

gas flow meter during non-routine operations (e.g., during initial reformer restart) and reflects a more conservative estimation of vent gas flow than using raw, measured values from the vent gas flow meter.

- **Subparagraph 50.C.b.iv.:** Notification of whether the total gas quantity specified in Subparagraph 50B.a.i or a.ii has been exceeded.

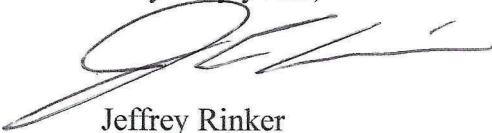
The total gas quantity specified in Subparagraph 50B.a.i was exceeded due to the flow of gases from startup, shutdown, malfunction events occurring during the restart. As you know, the restart has taken longer than expected due to unanticipated circumstances beyond Limetree's control and, at this time, Limetree does not have any operational data from a period of normal operations upon which to base the design of flare gas recovery ("FGR"). Limetree is therefore currently evaluating whether it will be possible to design, install, and begin operating FGR within two years.

In accordance with Subparagraph 50B.b.iii, Limetree is also providing notice that it exercised the option to shift 50,000 scfd from the FCCU Low Pressure Flare to Flare 3 on March 14, 2021. Limetree elected to do so because it triggered the obligation to install FGR on the FCCU Low Pressure Flare, which will result in a substantial reduction in flow to the FCCU Low Pressure Flare, but has not yet restarted Flare 3. Accordingly, the average gas quantity for Flare 3 in Subparagraph 50B.b.ii changes from 250,000 scfd to 300,000 scfd combined flow of all gases.

I certify under penalty of law that this information was prepared under my direction or supervision by personnel qualified to properly gather and evaluate the information submitted. Based on my directions and after reasonable inquiry of the person(s) directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete.

Please do not hesitate to contact Craig Miller by phone (340-692-3612) or email ([CTmiller@lbenergy.com](mailto:CTmiller@lbenergy.com)) with questions regarding this report.

Very truly yours,



Jeffrey Rinker  
CEO, Limetree Bay Ventures

cc: Verline Marcellin (via electronic mail)  
Austin Callwood (via electronic mail)  
David Molloy, Esq. (via electronic mail)

April 13, 2021

Page 4

Ryan Biggs (via electronic mail)  
Craig Miller (via electronic mail)  
Catherine Elizee (via electronic mail)  
LeAnn Johnson Koch, Esq. (via electronic mail)

# Attachment A

## Average Data

Plant: LIMETREE BAY REFINERY

Interval: 1 Day

Type: Block

Report Period: 09/15/2020 00:00 Through 03/14/2021 23:59

Time Online Criteria: 1 minute(s)

Source Parameter Unit	FLARE08		
	PLT4FLWH (SCF)	VG_FLOWT (SCF)	Combined flow of all gases other than hydrogen from initial reformer restart (SCF)
09/15/20 00:00	0.0 I	204,324.8	204,324.8
09/16/20 00:00	0.0 I	803,484.4	803,484.4
09/17/20 00:00	0.0 I	294,529.3	294,529.3
09/18/20 00:00	0.0 I	339,260.5	339,260.5
09/19/20 00:00	0.0 I	356,689.1	356,689.1
09/20/20 00:00	0.0 I	279,396.3	279,396.3
09/21/20 00:00	0.0 I	356,492.1	356,492.1
09/22/20 00:00	0.0 I	577,754.4	577,754.4
09/23/20 00:00	0.0 I	1,019,828.3	1,019,828.3
09/24/20 00:00	0.0 I	795,268.5	795,268.5
09/25/20 00:00	0.0 I	404,863.6	404,863.6
09/26/20 00:00	0.0 I	304,435.5	304,435.5
09/27/20 00:00	0.0 I	265,829.3	265,829.3
09/28/20 00:00	0.0 I	290,402.3	290,402.3
09/29/20 00:00	0.0 I	597,228.8	597,228.8
09/30/20 00:00	0.0 I	870,782.6	870,782.6
10/01/20 00:00	0.0 I	1,247,712.5	1,247,712.5
10/02/20 00:00	0.0 I	1,228,732.4	1,228,732.4
10/03/20 00:00	0.0 I	1,166,817.7	1,166,817.7
10/04/20 00:00	0.0 I	1,005,906.2	1,005,906.2
10/05/20 00:00	0.0 I	871,674.6	871,674.6
10/06/20 00:00	0.0 I	927,401.4	927,401.4
10/07/20 00:00	0.0 I	567,773.0	567,773.0
10/08/20 00:00	0.0 I	650,318.0	650,318.0
10/09/20 00:00	0.0 I	907,167.5	907,167.5
10/10/20 00:00	0.0 I	412,231.1	412,231.1
10/11/20 00:00	0.0 I	1,769,340.1	1,769,340.1
10/12/20 00:00	0.0 I	1,714,072.0	1,714,072.0
10/13/20 00:00	0.0 I	699,679.8	699,679.8
10/14/20 00:00	0.0 I	494,973.0	494,973.0
10/15/20 00:00	0.0 I	552,158.8	552,158.8
10/16/20 00:00	0.0 I	630,960.4	630,960.4
10/17/20 00:00	0.0 I	781,345.3	781,345.3
10/18/20 00:00	0.0 I	969,654.6	969,654.6
10/19/20 00:00	0.0 I	736,136.5	736,136.5
10/20/20 00:00	0.0 I	764,372.6	764,372.6
10/21/20 00:00	0.0 I	828,165.2	828,165.2

**F = Unit Offline****E = Exceedance****M = Maintenance****T = Out Of Control**

Report Generated: 03/26/21 17:32

**C = Calibration****S = Substituted****\* = Suspect**

# Average Data

Plant: LIMETREE BAY REFINERY

Interval: 1 Day

Type: Block

Report Period: 09/15/2020 00:00 Through 03/14/2021 23:59

Time Online Criteria: 1 minute(s)

10/22/20	00:00	0.0 I	1,425,996.0	1,425,996.0
10/23/20	00:00	0.0 I	3,552,618.8	3,552,618.8
10/24/20	00:00	0.0 I	1,119,871.2	1,119,871.2
10/25/20	00:00	0.0 I	943,547.4	943,547.4
10/26/20	00:00	0.0 I	1,194,493.2	1,194,493.2
10/27/20	00:00	0.0 I	824,303.6	824,303.6
10/28/20	00:00	0.0 I	643,756.9	643,756.9
10/29/20	00:00	0.0 I	967,151.6	967,151.6
10/30/20	00:00	0.0 I	811,892.9	811,892.9
10/31/20	00:00	0.0 I	655,491.6	655,491.6
11/01/20	00:00	0.0 I	792,466.2	792,466.2
11/02/20	00:00	0.0 I	723,824.1	723,824.1
11/03/20	00:00	0.0 I	1,223,283.4	1,223,283.4
11/04/20	00:00	0.0 I	638,356.1	638,356.1
11/05/20	00:00	0.0 I	907,407.5	907,407.5
11/06/20	00:00	0.0 I	1,091,241.2	1,091,241.2
11/07/20	00:00	0.0 I	908,742.4	908,742.4
11/08/20	00:00	0.0 I	1,423,492.7	1,423,492.7
11/09/20	00:00	0.0 I	446,893.9	446,893.9
11/10/20	00:00	0.0 I	449,088.1	449,088.1
11/11/20	00:00	0.0 I	918,386.8	918,386.8
11/12/20	00:00	0.0 I	815,199.8	815,199.8
11/13/20	00:00	0.0 I	828,442.3	828,442.3
11/14/20	00:00	0.0 I	579,787.9	579,787.9
11/15/20	00:00	0.0 I	504,310.5	504,310.5
11/16/20	00:00	0.0 I	958,818.2	958,818.2
11/17/20	00:00	0.0 I	1,180,299.6	1,180,299.6
11/18/20	00:00	0.0 I	835,320.5	835,320.5
11/19/20	00:00	0.0 I	433,428.7	433,428.7
11/20/20	00:00	0.0 I	876,216.4	876,216.4
11/21/20	00:00	219,188.7	926,819.6	707,630.9
11/22/20	00:00	121,854.8	974,284.7	852,429.9
11/23/20	00:00	3,875,279.3	4,585,264.1	709,984.8
11/24/20	00:00	825,017.0	2,394,144.0	1,569,127.0
11/25/20	00:00	94,429.8	1,856,374.9	1,761,945.1
11/26/20	00:00	3,512,698.1	4,618,504.4	1,105,806.3
11/27/20	00:00	22,970,072.6	25,589,700.2	2,619,627.6
11/28/20	00:00	23,369,348.1	26,675,122.6	3,305,774.5
11/29/20	00:00	11,694,513.6	13,997,749.1	2,303,235.5
11/30/20	00:00	178.2	1,122,991.4	1,122,813.2
12/01/20	00:00	0.0 I	760,165.4	760,165.4

**F = Unit Offline****E = Exceedance****M = Maintenance****T = Out Of Control**

Report Generated: 03/26/21 17:32

**C = Calibration****S = Substituted****\* = Suspect**

## Average Data

Plant: LIMETREE BAY REFINERY

Interval: 1 Day

Type: Block

Report Period: 09/15/2020 00:00 Through 03/14/2021 23:59

Time Online Criteria: 1 minute(s)

12/02/20	00:00	79,556.0	806,986.6	727,430.6
12/03/20	00:00	92,639.0	704,938.3	612,299.3
12/04/20	00:00	0.0 I	593,953.0	593,953.0
12/05/20	00:00	24,206.1	841,743.5	817,537.4
12/06/20	00:00	50,894.7	1,263,667.7	1,212,773.0
12/07/20	00:00	0.0 I	4,787,572.6	4,787,572.6
12/08/20	00:00	346,086.8	2,015,781.7	1,669,694.9
12/09/20	00:00	64,838.8	1,482,061.1	1,417,222.3
12/10/20	00:00	150.3	1,326,994.7	1,326,844.4
12/11/20	00:00	0.0 I	1,033,605.2	1,033,605.2
12/12/20	00:00	0.0 I	863,427.5	863,427.5
12/13/20	00:00	0.0 I	909,083.0	909,083.0
12/14/20	00:00	0.0 I	557,301.6	557,301.6
12/15/20	00:00	714,118.8	1,569,613.3	855,494.5
12/16/20	00:00	512,553.1	2,617,564.1	2,105,011.0
12/17/20	00:00	0.0 I	1,027,947.0	1,027,947.0
12/18/20	00:00	1,874,220.6	3,425,929.9	1,551,709.3
12/19/20	00:00	827,565.5	3,091,583.5	2,264,018.0
12/20/20	00:00	1,166,094.9	2,623,965.6	1,457,870.7
12/21/20	00:00	13,407,424.5	17,697,014.8	4,289,590.3
12/22/20	00:00	19,665,242.1	22,280,938.0	2,615,695.9
12/23/20	00:00	9,933,637.3	11,648,373.1	1,714,735.8
12/24/20	00:00	20,497,637.7	22,563,901.0	2,066,263.3
12/25/20	00:00	19,398,493.3	21,726,672.5	2,328,179.2
12/26/20	00:00	22,529,644.2	25,399,990.3	2,870,346.1
12/27/20	00:00	21,954,387.2	25,180,441.3	3,226,054.1
12/28/20	00:00	10,548,970.3	14,142,455.4	3,593,485.1
12/29/20	00:00	6,288,421.0	11,947,850.9	5,659,429.9
12/30/20	00:00	14,848,147.0	16,801,915.6	1,953,768.6
12/31/20	00:00	10,296,859.7	12,530,691.9	2,233,832.2
01/01/21	00:00	5,534,158.2	7,882,118.3	2,347,960.1
01/02/21	00:00	0.0 I	3,652,322.8	3,652,322.8
01/03/21	00:00	0.0 I	3,616,894.8	3,616,894.8
01/04/21	00:00	0.0 I	2,440,644.4	2,440,644.4
01/05/21	00:00	3,229,646.1	5,930,320.9	2,700,674.8
01/06/21	00:00	6,246,734.9	7,911,926.9	1,665,192.0
01/07/21	00:00	4,068,215.7	7,115,210.0	3,046,994.3
01/08/21	00:00	4,465,365.3	6,581,814.0	2,116,448.7
01/09/21	00:00	6,671,729.1	10,870,496.9	4,198,767.8
01/10/21	00:00	7,180,781.3	12,547,231.5	5,366,450.2
01/11/21	00:00	9,820,586.4	14,467,579.1	4,646,992.7

**F = Unit Offline****E = Exceedance****M = Maintenance****T = Out Of Control**

Report Generated: 03/26/21 17:32

**C = Calibration****S = Substituted****\* = Suspect**

## Average Data

Plant: LIMETREE BAY REFINERY

Interval: 1 Day

Type: Block

Report Period: 09/15/2020 00:00 Through 03/14/2021 23:59

Time Online Criteria: 1 minute(s)

01/12/21	00:00	19,442,288.3	26,044,104.4	6,601,816.1
01/13/21	00:00	18,873,392.1	25,833,508.8	6,960,116.7
01/14/21	00:00	22,485,643.5	30,190,411.0	7,704,767.5
01/15/21	00:00	20,345,126.9	26,543,605.2	6,198,478.3
01/16/21	00:00	15,042,923.3	19,034,668.6	3,991,745.3
01/17/21	00:00	12,756,381.9	15,851,556.8	3,095,174.9
01/18/21	00:00	17,230,279.6	22,394,329.6	5,164,050.0
01/19/21	00:00	17,460,099.4	24,308,108.2	6,848,008.8
01/20/21	00:00	20,587,685.4	28,803,501.8	8,215,816.4
01/21/21	00:00	21,529,426.7	29,114,839.6	7,585,412.9
01/22/21	00:00	15,216,934.8	21,941,309.3	6,724,374.5
01/23/21	00:00	17,151,747.1	25,529,689.1	8,377,942.0
01/24/21	00:00	19,062,726.1	24,681,713.7	5,618,987.6
01/25/21	00:00	19,502,991.2	30,314,680.5	10,811,689.3
01/26/21	00:00	15,733,514.4	20,235,147.5	4,501,633.1
01/27/21	00:00	20,573,801.0	27,987,382.1	7,413,581.1
01/28/21	00:00	9,590,501.0	13,700,210.9	4,109,709.9
01/29/21	00:00	5,721,467.0	8,070,566.0	2,349,099.0
01/30/21	00:00	8,905,504.8	11,863,360.9	2,957,856.1
01/31/21	00:00	15,819,845.3	20,270,672.5	4,450,827.2
02/01/21	00:00	8,410,874.8	18,151,987.0	9,741,112.2
02/02/21	00:00	23,770,821.4	28,168,085.0	4,397,263.6
02/03/21	00:00	15,328,814.7	19,964,375.5	4,635,560.8
02/04/21	00:00	23,284,278.3	27,479,313.8	4,195,035.5
02/05/21	00:00	18,836,561.8	22,701,443.4	3,864,881.6
02/06/21	00:00	14,138,149.2	16,983,926.0	2,845,776.8
02/07/21	00:00	9,398,953.1	11,333,723.2	1,934,770.1
02/08/21	00:00	9,693,542.9	11,506,119.8	1,812,576.9
02/09/21	00:00	7,779,722.1	10,790,243.0	3,010,520.9
02/10/21	00:00	9,851,616.0	11,845,905.5	1,994,289.5
02/11/21	00:00	8,097,428.1	9,707,148.5	1,609,720.4
02/12/21	00:00	9,213,436.0	11,244,896.4	2,031,460.4
02/13/21	00:00	10,245,700.7	12,118,927.9	1,873,227.2
02/14/21	00:00	11,410,512.0	13,180,837.7	1,770,325.7
02/15/21	00:00	15,867,341.8	17,834,614.7	1,967,272.9
02/16/21	00:00	16,002,730.6	18,646,443.0	2,643,712.4
02/17/21	00:00	9,189,343.8	11,036,414.7	1,847,070.9
02/18/21	00:00	9,786,702.2	11,538,586.6	1,751,884.4
02/19/21	00:00	8,880,669.0	10,323,609.0	1,442,940.0
02/20/21	00:00	13,715,714.7	15,490,319.3	1,774,604.6
02/21/21	00:00	14,214,914.6	15,779,108.7	1,564,194.1

**F = Unit Offline****E = Exceedance****M = Maintenance****T = Out Of Control**

Report Generated: 03/26/21 17:32

**C = Calibration****S = Substituted****\* = Suspect**

## Average Data

Plant: LIMETREE BAY REFINERY

Interval: 1 Day

Type: Block

Report Period: 09/15/2020 00:00 Through 03/14/2021 23:59

Time Online Criteria: 1 minute(s)

02/22/21	00:00	15,223,328.5	16,953,131.5	1,729,803.0
02/23/21	00:00	12,643,052.7	15,575,676.2	2,932,623.5
02/24/21	00:00	11,642,432.4	14,163,328.1	2,520,895.7
02/25/21	00:00	11,326,546.5	14,124,720.0	2,798,173.5
02/26/21	00:00	3,860,297.1	7,523,290.1	3,662,993.0
02/27/21	00:00	2,813,064.7	7,309,517.9	4,496,453.2
02/28/21	00:00	8,162,042.8	10,247,399.9	2,085,357.1
03/01/21	00:00	12,973,704.7	15,133,675.5	2,159,970.8
03/02/21	00:00	7,684,985.6	9,737,110.7	2,052,125.1
03/03/21	00:00	7,974,496.4	10,807,327.0	2,832,830.6
03/04/21	00:00	5,280,419.9	8,749,313.4	3,468,893.5
03/05/21	00:00	4,521,660.5	8,173,257.5	3,651,597.0
03/06/21	00:00	4,763,535.6	8,926,499.5	4,162,963.9
03/07/21	00:00	4,810,771.1	11,153,915.7	6,343,144.6
03/08/21	00:00	8,772,370.6	10,861,790.1	2,089,419.5
03/09/21	00:00	6,764,448.8	8,901,437.6	2,136,988.8
03/10/21	00:00	3,870,908.9	9,522,463.8	5,651,554.9
03/11/21	00:00	3,565,297.8	8,039,458.2	4,474,160.4
03/12/21	00:00	4,180,893.8	10,329,937.7	6,149,043.9
03/13/21	00:00	8,333,675.5	10,253,510.1	1,919,834.6
03/14/21	00:00	9,068,473.5	10,892,809.8	1,824,336.3

Average	10,169,010.7	8,073,270.2	2,286,485.1
Minimum	150.3	204,324.8	
Maximum	23,770,821.4	30,314,680.5	
Summation	1,047,408,101.1	1,461,261,902.2	
Geometric Mean	4,845,275.6	3,326,091.4	
Included Data Points	103	181	
Total number of Data Points	181	181	

**F = Unit Offline**

**E = Exceedance**

**M = Maintenance**

**T = Out Of Control**

Report Generated: 03/26/21 17:32

**C = Calibration**

**S = Substituted**

**\* = Suspect**



**EXHIBIT 3 TO  
DECLARATION OF MYLES E. FLINT, II IN SUPPORT OF THE UNITED  
STATES' RESPONSE TO PORT HAMILTON MOTION FOR INFORMAL  
STATUS CONFERENCE**



**U.S. Department of Justice**

Environment and Natural Resources Division

90-5-2-1-08229/3

*Environmental Enforcement Section  
P.O. Box 7611  
Washington, DC 20044*

*Telephone (202) 307-1859  
Facsimile (202) 616-2427*

March 2, 2022

*VIA ELECTRONIC MAIL*

Julie R. Domike, Esq.  
Babst Calland, Attorneys at Law  
505 9th Street NW, Suite 700  
Washington, DC 20004

Thomas V. Eagan, Esq.  
Rasco Klock Perez & Nieto  
2555 Ponce de Leon Blvd, Suite 600  
Coral Gables, Florida 33134

**Re: Questions Regarding Refinery Restart**

Dear Julie and Tom:

In late December 2021, West Indies Petroleum Limited ("WIPL") and Port Hamilton Refining and Transportation LLLP ("PHRT") submitted questions to the U.S. Department of Justice ("DOJ") regarding the refinery ("Refinery") located at 1 Estate Hope, Christiansted, U.S. Virgin Islands ("Facility"). WIPL and PHRT have since purchased the Refinery from Limetree Bay Refining, LLC ("LBR"). DOJ and the U.S. Environmental Protection Agency ("EPA"), Region 2, have reviewed those questions and endeavor to answer them below and in the attached letter from EPA. This letter focuses on issues relating to the *United States and the United States Virgin Islands v. HOVENSA L.L.C.*, Civ. No. 1:11-cv-00006 (D.V.I.) ("HOVENSA") and the *United States v. Limetree Bay Refining, LLC and Limetree Bay Terminals, LLC*, 1:21-cv-000264-WAL-GWC (D.V.I.) ("CAA 303 Action") actions. The attached letter from EPA focuses on permitting and other regulatory matters.

The answers here and in the attached are not intended to be nor should be read as an exhaustive list of the environmental obligations that WIPL and PHRT will need to meet as an owner and operator of the Refinery. As additional information is received from WIPL and PHRT, the United States may conclude that other actions, not listed below, are necessary. In the meantime, WIPL and PHRT should continue to consult with their legal and technical experts in

environmental regulations and permitting.<sup>1</sup> Please also see the September 24, 2021 letter from EPA to potential purchasers of the Refinery. WIPL and PHRT should also engage with the Virgin Islands Department of Planning and Natural Resources (“VIDPNR”), which, although not the permitting authority for CAA prevention of significant deterioration (“PSD”) permits, is the permitting authority for other facility CAA permits, including Title V permits and Virgin Islands permits to construct and operate, as well as for Clean Water Act (“CWA”) Territorial Pollutant Discharge Elimination System (“TPDES”) permits.

We also note that the United States has not yet received any information about what the business relationship between WIPL, PHRT and Limetree Bay Terminals, LLC (“LBT”) will be. We have received only the limited information contained in WIPL and PHRT’s January 20, 2022 proposal for the restart of the Refinery (“Restart Proposal”) and your February 23, 2022 letter (which we are in the process of reviewing) about how WIPL and PHRT plan to operate the Refinery. Some of the answers provided below and in the attached are subject to change as the United States continues to review information and learns more.

**Question 1:** *Can West Indies Petroleum use Limetree’s existing permits to restart the refinery? If not, what does West Indies Petroleum need to do in order to restart the refinery?*

**Answer:** With regard to certain CAA matters, as well as CWA permitting issues, please see the attached letter from EPA. There are a number of other actions WIPL and PHRT need to take prior to startup of the Refinery. These include the actions set forth below.

- Consistent with Paragraph 11 of the December 21, 2021 Sale Order, WIPL and PHRT need to become parties to the HOVENSA Consent Decree and the Joint Stipulation in the CAA 303 Action.
- WIPL and PHRT, together with LBT and LBR, need to reach agreement with the United States on a new consent decree to resolve the CAA 303 Action. (The Joint Stipulation was not a final resolution of the case.)
- Submit the notification, the “303 Order Plan” and the “Monitoring Plan” required by Paragraphs 2, 4, 5 and 7, respectively, of the Joint Stipulation,<sup>2</sup> and complete all measures necessary to eliminate any imminent and substantial endangerment to public health or welfare or the environment posed by the Refinery or a Refinery process unit (Joint Stipulation at ¶6). Please see Paragraph 115.I. of EPA’s May 14, 2021 administrative order under Section 303 of the CAA (“303 Order”) for the required elements of the 303 Order Plan.
- No later than thirty days prior to any restart of the Refinery or a Refinery process unit, WIPL and PHRT need to install and operate the hydrogen sulfide (“H<sub>2</sub>S”) and designated Federal Reference or Equivalent Method sulfur dioxide (“SO<sub>2</sub>”) monitors at the nine monitoring sites, as well as a meteorological tower, as required by EPA’s June

---

<sup>1</sup> Given that the U.S. Department of Labor’s Occupational Safety and Health Administration cited Limetree Bay for violations, WIPL and PHRT may wish to engage with OSHA as well. However, WIPL and PHRT should understand that this letter is not sent on behalf of OSHA as the undersigned does not represent OSHA.

<sup>2</sup> As indicated in Paragraph 12 of the Joint Stipulation, the plans required by the Stipulation shall be submitted to EPA for its review, comment, and approval (or approval with modifications).

16, 2021 information request to LBT and LBR under Section 114(a) of the CAA (Joint Stipulation at ¶8).<sup>3</sup>

WIPL and PHRT must also review and address deficiencies in the environmental compliance audit conducted under the 303 Order issued to LBR and LBT (collectively “Limetree”). EPA notified Limetree of these deficiencies in a letter dated July 28, 2021 (attached). WIPL and PHRT must address these audit deficiencies, and any additional corrective actions must be completed to ensure WIPL’s and PHRT’s restart of the Refinery will not endanger public health or welfare or the environment.

As indicated in EPA’s September 24, 2021 letter to potential purchasers (at footnote 2 and accompanying text), Limetree triggered the obligation, under the First Modification to the Consent Decree, to install and operate a flare gas recovery system (“FGRS”) on the FCCU Low Pressure Flare (a.k.a. Flare #8). The absence of an FGRS at the Refinery was one of the causes for the excess emissions of H<sub>2</sub>S and SO<sub>2</sub> from the Refinery during the first half of 2021.

We understand from PHRT’s February 21, 2022 progress report and your February 23, 2022 letter that the company has engaged Becht Engineering to develop the process engineering design for the FGRS. Because appropriate sizing of an FGRS is crucial in order for the system to ensure compliance with 40 C.F.R. Part 60, Subpart Ja, at Flare #8, the United States requests that before the process design specifications are developed, PHRT and WIPL engage with DOJ and EPA on how the companies and Becht Engineering will determine an appropriate size for the FGRS, and discuss their conclusions as to the size.

**Question 2:** *Limetree told West Indies that EPA was not letting them purge the refinery. What does West Indies Petroleum need to do in order to be allowed to purge the refinery?*

**Answer:** While the United States does not fully understand the question, we offer the following information: Pursuant to the Joint Stipulation, Limetree was required to submit a hydrocarbon purge plan for EPA approval. EPA approved Phase 1 of Limetree’s hydrocarbon purge plan on July 29, 2021, which allowed Limetree to test Flare #8 on July 31, 2021. EPA approved Phase 2 of Limetree’s hydrocarbon purge plan on August 26, 2021, which included using Flare #8 to purge certain portions of the Refinery. While Limetree initiated work under the Phase 2 purge plan, it did not complete it, due to financial constraints. Additionally, while Limetree indicated that it would submit additional phases of the hydrocarbon purge plan, covering other portions of the Refinery, such as the amine unit, sulfur recovery unit, or the “outside the battery limit” portions of the Refinery, those phases were never submitted.

The United States informed Limetree that in addition to complying with the approved purge plan, Limetree may only purge the Refinery in compliance with CAA regulatory requirements at all times, including but not limited to compliance at Flare #8 with: 1) the 162 parts per million volume (ppmv) H<sub>2</sub>S concentration limit for flares, determined hourly on a 3-hour rolling average basis, as per 40 C.F.R. Part 60, Subpart Ja, and 2) the requirements in 40 C.F.R. Part 63, Subpart CC for flares, which require that the pilot light be lit when regulated material is sent to Flare #8 and that the continuous emission monitoring system be operating.

---

<sup>3</sup> With respect to Paragraphs 9-11 of the Joint Stipulation, which deal with purging hydrocarbons from the refinery, see the below response to WIPL/PHRT’s final question.

Compliance with the Subparts Ja and CC requirements may necessitate the use of supplemental propane in order to meet the net heating value necessary to ensure efficient combustion of regulated gases at Flare #8.

We appreciate that WIPL and PHRT have begun discussions with DOJ and EPA about the companies' plans to operate the Refinery. We hope that the answers provided above and in the attached letter from EPA will be useful to WIPL and PHRT, and we look forward to continued open communication between the parties.

If you have any questions about this letter, please contact me.

Very truly yours,

Myles E. Flint, II

Attachments

cc:

Liliana Villatora  
Sara Froikin  
Jennifer Pierce  
Providence Spina  
Kathryn Caballero  
John Fehrenbach  
Stephanie Sebor  
Pamela Tepper  
Jean-Pierre Oriol

**EXHIBIT 4 TO  
DECLARATION OF MYLES E. FLINT, II IN SUPPORT OF THE UNITED  
STATES' RESPONSE TO PORT HAMILTON MOTION FOR INFORMAL  
STATUS CONFERENCE**



Julie R. Domike  
Attorney at Law  
T 202.853.3453  
jdomike@babstcalland.com

CONTAINS CONFIDENTIAL BUSINESS INFORMATION ("CBI")

February 23, 2022

Via Electronic Mail

Myles E. Flint, II, Esq.  
U.S. Department of Justice  
Environment and Natural Resources Division  
Environmental Enforcement Section  
P.O. Box 7611  
Washington, DC 20044

**Re: Response to Questions Regarding PHRT Purging and Restart Proposal**

Dear Mr. Flint, *Myles*

On behalf of Port Hamilton Refining and Transportation, LLLP ("PHRT"), we provide the following response to your letter dated February 4, 2022 with respect to PHRT refinery purging and restart plans.

Note that we will provide updates and further information responsive to the questions in your letter as soon as it becomes available.

1. Reports

We confirm that PHRT will continue to issue the Flare #8 continuous emissions monitoring system ("CEMS") data on a weekly basis, delivering by email the previous week's data each Friday. We also will continue to provide weekly Purge Plan progress reports each Monday. PHRT confirms that we will continue to provide EPA with real-time access to the monitoring data collected from the five monitoring stations.

We appreciate receiving the weekly summaries from EPA of the data at these monitoring stations and ask that EPA continue to provide these to me, Tom Eagan, Neil Morgan, and Fermin Rodriguez. With respect to any observed exceedance noted by EPA, we ask that EPA notify me, Tom Eagan, Neil Morgan, and Fermin Rodriguez of these. In the event there is a change in recipients of these reports or notifications, we will notify you and Ms. Villatora, Ms. Pierce, and Ms. Froikin.

CONTAINS CONFIDENTIAL BUSINESS INFORMATION ("CBI")

2. Hydrocarbon (HC) and Amine Purging

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]



CONTAINS CONFIDENTIAL BUSINESS INFORMATION ("CBI")




**Flare Gas Recovery System:** As noted above, the following preparations for installation of the FGRS have been undertaken; Becht engineering was contracted to develop the process engineering design. Once that is completed, Richard Engineering will develop the mechanical design of the system.



CONTAINS CONFIDENTIAL BUSINESS INFORMATION ("CBI")

**Meeting dates:** We propose meeting with DOJ and EPA for a follow up discussion on March 9 or 10, 2022.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Julie R. Domike', with a stylized, flowing script.

Julie R. Domike

Enclosures

cc: Liliana Villatora  
Sara Froikin  
Jennifer Pierce  
Providence Spina  
Catherine Caballero

**EXHIBIT 5 TO  
DECLARATION OF MYLES E. FLINT, II IN SUPPORT OF THE UNITED  
STATES' RESPONSE TO PORT HAMILTON MOTION FOR INFORMAL  
STATUS CONFERENCE**

**PORT HAMILTON REFINING AND TRANSPORTATION, LLLP (PHRT)**

**Phase 2 Activity Report**

**February 21, 2022**

**ITEM DESCRIPTION: PROGRESS REPORT**

**GENERAL NOTES:**

- Refinery De-Inventory Plan Phase 2 continues to be on hold
- De-inventory activities including the following items will not be executed at
  - ✓ Cold circulation
  - ✓ Hot circulation
  - ✓ Steam out
  - ✓ Purging
- The sequence of scheduled activities is expected to remain the same
- Operation and Maintenance personnel have been reduced, subject to additional reductions in the future
- PHRT will continue to monitor the units to ensure safety and stability
- The No. 8 Flare will remain blinded and flare KO drums isolation valves car seal/chain lock closed
- The overall units' Refinery de-inventory plan under the LBR – Phase 2 is being revised to prepare the Crude unit and corresponding process units (i.e, LPG Fract, Gas Recovery unit) for entry and internal inspection and repairs, if required.

**HIGHLIGHTS – WEEK ENDING February 21, 2022**

**No. 8 Flare**

1. Period February 15 to 21, 2022
  - All process unit de-inventory activities remain on hold
  - No. 8 Flare system remains blinded including the purge gas line
  - **No process units were opened to the flare**
  - The flare KO Drums were also isolated (block valves before the flare blind) and all-process units were kept with corresponding flare heaters blocked in (single isolation)
  - No. 7 vaporizer and fuel gas system remained isolated
2. Fuel Gas CEMS – Continuous Emissions Monitoring System
  - System continued to be isolated as the No. 7 vaporizer and fuel gas system were kept down while working at the No. 8 Flare CEMS and Panametric probes
3. Flare 8 CEMS and Panametrics flow meter
  - CEMS remains lined up and undergoing routine calibration / preventive maintenance
  - No. 8 Flare CEMS - CGA (calibration gas audit) was conducted in December 2021 because the flare was not in service; upon return of the flare to normal service a RADA will be conducted
- No. 8 Flare Purging
  - Continued the nitrogen purge of the section of the flare header from the 48' blind to the flare tip maintaining 1-1.5 psig pressure
  - CEMS data sent to EPA for review
- H<sub>2</sub>S Scavenger system continued to be fully functional

**IoMosaic Independent Observer**

- PHRT is working on a contract with IoMosaic representative to follow up on activities associated with Flare no. 8 upon re-initiation for Phase 2 of the restart plan

**EPA On-Scene Coordinator**

- EPA demobilized its equipment during the week of November 15, 2021

**PORT HAMILTON REFINING AND TRANSPORTATION, LLLP**

**Phase 2 Activity Report**

**February 21, 2022**

**SO<sub>2</sub>/H<sub>2</sub>S Ambient Monitoring Stations Telemetry**

Monitoring stations remained activated during February 15 to 21, 2022

Station 1:

No Issues to report

Station 2:

No Issues to report

Station 3:

No Issues to report

Station 4:

No Issues to report

Station 5:

Continue to have Flow Warning (high) on the SO<sub>2</sub> Monitor. (Honeywell Loaner)

Going to work with PHRTs Honeywell Rep for a Return Authorization Number for the SO<sub>2</sub> Monitor, PHRT took offline due to high flow indication so it can be sent back for repair

- **Conducted the following activities not requiring the use of the flare system in OSBL piping appurtenant to process units.** Continued working with Debusk, Itech, and RTP to finalize the analysis, protocol and procedures to be submitted to EPA for review and approval to proceed with the amine neutralization.

**Process units remained the same as previous weeks**

- **No. 5 Crude Unit**  
Ready to start heat-up and warm circulation
- **No. 3 Vacuum**  
Ready to start heat-up and warm circulation
- **No. 4 Hydrobon**  
Pump out step – 90% completed
- **No. 4 Platformer Unit**  
Pump out step – 90% completed
- **No. 3 Hydrobon**  
Completed pump out
- **No. 6 DD – Distillate Desulfurizer**  
Pump out – 80% completed
- **No. 7 DD – Distillate Desulfurizer**  
Pump out – 90% completed
- **No. 9 DD – Distillate Desulfurizer**  
Pump out – 100% completed

**Other**

PHRT is continuing the process of reviewing all the environmental audit reports findings and recommendations for inclusion in the facility re-start plans under PHRT's Phase 1 – Crude Unit Topping operation  
Coker, Amine unit and Sulfur Plant audits - resolution of the recommendations will be addressed prior to commissioning under PHRT's Phase 2 operation

PHRT finalized a contract with RTP Environmental.

PHRT continued the process of establishing service contracts with environmental companies such as IoMosaic, ESC Spectrum, Itech and others.

**PORT HAMILTON REFINING AND TRANSPORTATION, LLLP**

**Phase 2 Activity Report**

**February 21, 2022**

**Flare Gas Recovery System**

- Process engineering data is being put together to establish the Front-End Loading (FEL), process design and detailed engineering for the FGRS.
- Becht Engineering was put under contract to develop the process design specifications; Becht earlier received a MOU to begin this scope while the contract was being formalized.
- Richard Engineering was put under contract to develop the detailed engineering and design packages. Once Becht Engineering completes the process design specifications, Richard will utilize this design specifications and develop the Front-End Loading.

**PROJECTION FOR THE PERIOD February 22 -28, 2022**

- PHASE 2 on hold
- **Overall schedule is being revised to address the purge plan**

**PORT HAMILTON REFINING AND TRANSPORTATION, LLLP (PHRT)**

Phase 2 Activity Report

May 30, 2022

ITEM DESCRIPTION: PROGRESS REPORT

GENERAL NOTES:

- **Refinery De-Inventory Plan Phase 2 continues to be on hold**
- De-inventory activities including the following items will not be executed at
  - ✓ Cold circulation
  - ✓ Hot circulation
  - ✓ Steam out
  - ✓ Purging
- The sequence of scheduled activities is expected to remain the same.
- Operation and Maintenance personnel have been reduced.
- PHRT will continue to monitor the units to ensure safety and stability.
- The No. 8 Flare will remain blinded and flare KO drums isolation valves car seal/chain lock closed.
- The overall plan to de-inventory Refinery units that was known as LBR – Phase 2 is being revised to prepare the Crude unit and associated process units (i.e., LPG Fract, Gas Recovery unit) for entry and internal inspection and repairs, if required.

HIGHLIGHTS – WEEK ENDING May 30, No. 8 Flare

- Period of May 23 to 30, 2022
  - All process unit de-inventory activities remain on hold
  - No. 8 Flare system remains blinded including the purge gas line
  - No process units were opened to the flare
  - The flare KO Drums were also isolated (block valves before the flare blind) and all-process units were kept with corresponding flare heaters blocked in (single isolation)
  - No. 7 vaporizer and fuel gas system remained isolated
- Fuel Gas CEMS – Continuous Emissions Monitoring System
  - System continued to be isolated as the No. 7 vaporizer and fuel gas system were kept down while working on the No. 8 Flare CEMS and Panametric probes
- Flare 8 CEMS and Panametrics flow meter
  - CEMS remains lined up and undergoing routine calibration / preventive maintenance
  - No. 8 Flare CEMS - CGA (calibration gas audit) was conducted in December 2021 because the flare was not in service; upon return of the flare to normal service a RADA will be conducted
- No. 8 Flare Purging
  - Continued the nitrogen purge of the section of the flare header from the 48' blind to the flare tip maintaining 1-1.5 psig pressure
  - The Nitrogen Plan O2 control is being serviced as the oxygen went to 2.5 -3.5 % which will affect the Flare – CEMS O2 reading.
  - CEMS data sent to EPA for review
- H<sub>2</sub>S Scavenger system continued to be fully functional
- IoMosaic Independent Observer
  - Observer on standby, to be on site prior to re-initiating Phase 2 of the restart plan

**PORT HAMILTON REFINING AND TRANSPORTATION, LLLP**

**Phase 2 Activity Report**

**May 30, 2022**

- SO<sub>2</sub>/H<sub>2</sub>S Ambient Monitoring Stations Telemetry

Below is PHRT's weekly observations of the Ambient Monitoring Stations for week of May 20-27, 2022.

Station 1:

05/20 – Exceedances – H<sub>2</sub>S

Tier 1 - 1:29

Tier 2 - 1:39

5/21 – 5/22 – No Exceedances

5/23 – Exceedances – H<sub>2</sub>S

Tier 1 – 3:50, 4:36

Tier 2 – 4:48

5/24 - No Exceedances

5/25 – Exceedances – H<sub>2</sub>S

Tier 1 – 3:20, 4:54, 6:16

5/26 - No Exceedances

5/27 - Exceedances – H<sub>2</sub>S

Tier 1 – 4:40, 4:59, 5:30, 6:02

No Technical Issues to report

Station 2:

05/20 - 05/27 – No Technical or exceedance issues

Station 3:

05/20 - 05/27 – No exceedance issues

Technical issues - SO<sub>2</sub> Flow High Alarm - Honeywell Tech support thinks the pump in the monitor is going out and recommends PHRT sends it back to the Vendor for repair. PHRT has Honeywell Case Number (07560734) and working with Vendor to get set in for repair. Received shipping label from Vendor and will get shipped back for repairs this week.

Offline 5/22 – 16:55 – 5/23 10:34 – Had to restart gateway to reconnect Cellular Router

Having to reset Gateway about everyday over the Holiday weekend - Working with Viya Rep and Safe Environmental Engineering on these issues

Station 4:

05/20 - 05/27 – No technical or exceedance issues

Station 5:

05/20 - 05/27 – No exceedance issues

Technical issues - We continue to have Maintenance Fault: High Flow on the SO<sub>2</sub> Monitor. (Honeywell Loaner) PHRT is working with Honeywell to get a case number.

Note: PHRT is in the process of buying a completed SO<sub>2</sub>/ H<sub>2</sub>S station spare; expected delivery time end of August 2022

Process units remained the same as previous weeks

- No. 5 Crude Unit  
Ready to start heat-up and warm circulation
- No. 3 Vacuum  
Ready to start heat-up and warm circulation
- No. 4 Hydrobon  
Pump out step – 90% completed
- No. 4 Platformer Unit  
Pump out step – 90% completed
- No. 3 Hydrobon  
Completed pump out
- No. 6 DD – Distillate Desulfurizer  
Pump out – 80% completed
- No. 7 DD – Distillate Desulfurizer



**PORT HAMILTON REFINING AND TRANSPORTATION, LLLP**

**Phase 2 Activity Report**

**May 30, 2022**

- Pump out – 90% completed
- No. 9 DD – Distillate Desulfurizer
- Pump out – 100% completed

**PROJECTION FOR THE PERIOD May 31 – June 6, 2022**

- PHASE 2 on hold
- Overall schedule is being revised to address the purge plan

**Other**

1. PHRT continues working with local counsel and real estate agent to secure the sites for 4 new Ambient Air monitoring (SO<sub>2</sub>/H<sub>2</sub>S) stations as per the 303 order and joint stipulation. Two locations are defined: working on developing site lease agreements.  
PHRT received EPA's siting criteria for selecting the location of the new (4) SO<sub>2</sub>/H<sub>2</sub>S stations; PHRT is reviewing; will submit its site recommendations to EPA.
2. Unchanged from last week's report:
  - i. PHRT is continuing the process of reviewing all the environmental audit reports findings and recommendations for inclusion in the facility re-start plans under PHRT Phase 1 – Crude Unit – Topping operation.
  - ii. Coker, Amine unit and Sulfur Plant audit - resolution of the recommendations will be addressed prior to commissioning under PHRT Phase 2 operation (same report as last week)
  - iii. Becht Engineering is working on the following project (listing is not inclusive)
    - completed the computer simulation of the no 5 Crude unit tower; the same could meet product specification without modification at permit limits
    - Started developing the computer simulation based on 180,000 BPD permitted rate as the basis for:
      - a. Relief valve (scenario analysis) in progress
      - b. FGRU process design
      - c. Caustic Scrubber process design – in progress
      - d. Kero Merox process design – in progress

**Flare Gas Recovery System**

- Process engineering data are being put together to establish the process design for FEL and detailed engineering.
- Becht Engineering was issued a contract to develop the process design specifications.
- Richard Engineering was issued a contract to develop the FEL and detailed engineering and design packages; once Becht Engineering completes the process design specification, Richard will utilize this design specification and develop the FEL.

**EXHIBIT 6 TO  
DECLARATION OF MYLES E. FLINT, II IN SUPPORT OF THE UNITED  
STATES' RESPONSE TO PORT HAMILTON MOTION FOR INFORMAL  
STATUS CONFERENCE**

**PORT HAMILTON REFINING AND TRANSPORTATION, LLLP (PHRT)**

Phase 2 Activity Report

June 6, 2022

ITEM DESCRIPTION: PROGRESS REPORT

GENERAL NOTES:

- **Refinery De-Inventory Plan Phase 2 continues to be on hold**
- De-inventory activities including the following items will not be executed at
  - ✓ Cold circulation
  - ✓ Hot circulation
  - ✓ Steam out
  - ✓ Purging
- The sequence of scheduled activities is expected to remain the same.
- Operation and Maintenance personnel have been reduced.
- PHRT will continue to monitor the units to ensure safety and stability.
- The No. 8 Flare will remain blinded and flare KO drums isolation valves car seal/chain lock closed.
- The overall plan to de-inventory Refinery units that was known as LBR – Phase 2 is being revised to prepare the Crude unit and associated process units (i.e., LPG Fract, Gas Recovery unit) for entry and internal inspection and repairs, if required.

HIGHLIGHTS – WEEK ENDING June 6, 2022, No. 8 Flare

- Period of May 31 to June 6, 2022
  - All process unit de-inventory activities remain on hold
  - No. 8 Flare system remains blinded including the purge gas line
  - No process units were opened to the flare
  - The flare KO Drums were also isolated (block valves before the flare blind) and all-process units were kept with corresponding flare heaters blocked in (single isolation)
  - No. 7 vaporizer and fuel gas system remained isolated
- Fuel Gas CEMS – Continuous Emissions Monitoring System
  - System continued to be isolated as the No. 7 vaporizer and fuel gas system were kept down while working on the No. 8 Flare CEMS and Panametric probes
- Flare 8 CEMS and Panametrics flow meter
  - CEMS remains lined up and undergoing routine calibration / preventive maintenance
  - No. 8 Flare CEMS - CGA (calibration gas audit) was conducted in December 2021 because the flare was not in service; upon return of the flare to normal service a RADA will be conducted
- No. 8 Flare Purging
  - Continued the nitrogen purge of the section of the flare header from the 48' blind to the flare tip maintaining 1-1.5 psig pressure
  - The Nitrogen Plan O2 control is being serviced as the oxygen went to 2.5 -3.5 % which will affect the Flare – CEMS O2 reading.
  - CEMS data sent to EPA for review
  - Preparations are being made to mechanically (water flush and hydro-blast) clean the piping from flare KO drum to the flare controls; this work is being defined without removing the 48 inch blind to the flare stack.
- H<sub>2</sub>S Scavenger system continued to be fully functional
- IoMosaic Independent Observer
  - Observer on standby, to be on site prior to re-initiating Phase 2 of the restart plan

**PORT HAMILTON REFINING AND TRANSPORTATION, LLLP****Phase 2 Activity Report****June 6, 2022**

- **SO<sub>2</sub>/H<sub>2</sub>S Ambient Monitoring Stations Telemetry**

Below are PHRT's weekly observations of the Ambient Monitoring Stations for week of May 27- June 03, 2022.

**Station 1:**

05/27 – Exceedances – H<sub>2</sub>S

Tier 1 – 4:40, 4:59, 5:30, 6:02

5/28 – 5/29 – No Exceedances

5/30 – 5/31 – No Data due to Safe Environmental Monthly Archive, I have requested they send me those data and will pass on to the team once received and analyzed.

06/01 - Exceedances – H<sub>2</sub>S

Tier 1 – 21:42, 22:29

Tier 2 - 22:00, 22:33, 22:53

06/02 – Exceedances – H<sub>2</sub>S

Tier 1 – 03:25, 03:41, 04:03, 04:49, 05:12, 05:32, 06:11, 6:35

Tier 2 - 01:08, 01:27

06/03 - Exceedances – H<sub>2</sub>S

Tier 1 – 0:23, 01:55, 03:14, 03:55, 04:12, 05:04, 05:49, 06:25

Tier 2 – 0:36, 05:25, 05:58,

No Technical Issues to report

**Station 2:**

05/27 - 06/03 – No Technical or exceedance issues

**Station 3:**

05/27 - 06/03 – No exceedance issues

- Technical issues - SO<sub>2</sub> Flow High Alarm - Honeywell Tech support thinks the pump in the monitor is going out and recommends PHRT send it back to the Vendor for repair.
- PHRT has Honeywell Case Number (07560734) and working with Vendor to have it repaired. **Monitor has been sent back for repair.**
- Having to restart gateway to reconnect Cellular Router every day.
- Working with Viya Team and Safe Environmental Engineering (SEE) on these issues. Worked until 10AST on Friday, June 3<sup>rd</sup> on the problem. On Saturday, June 4<sup>th</sup>, we also had SEE program Viya (internet provider) APN in the gateway that Viya had requested in our Friday troubleshooting efforts. The issue is ongoing; PHRT and Teams are working on a solution.

**Station 4:**

05/27 - 06/03 – No technical or exceedance issues

**Station 5:**

05/27 - 06/03 – No exceedance issues

- Technical issues - We continue to have Maintenance Fault: High Flow on the SO<sub>2</sub> Monitor. (Honeywell Loaner) PHRT is working with Honeywell to get a case number.

05/29

- Power outage in the area and Site was down overnight. PHRT had to reset monitors and gateway 05/30 once power was restored by WAPA.

Note: PHRT will coordinate a conference call with EPA to address the difference in accessing the SO<sub>2</sub>/H<sub>2</sub>S readings; there might be a combination of field maintenance, internet transmission and systems interface issues.

Process units remained the same as previous weeks

- No. 5 Crude Unit  
Ready to start heat-up and warm circulation
- No. 3 Vacuum  
Ready to start heat-up and warm circulation
- No. 4 Hydrobon  
Pump out step – 90% completed
- No. 4 Platformer Unit

**PORT HAMILTON REFINING AND TRANSPORTATION, LLLP**

**Phase 2 Activity Report**

**June 6, 2022**

- Pump out step – 90% completed
- No. 3 Hydrobon  
Completed pump out
- No. 6 DD – Distillate Desulfurizer  
Pump out – 80% completed
- No. 7 DD – Distillate Desulfurizer  
Pump out – 90% completed
- No. 9 DD – Distillate Desulfurizer  
Pump out – 100% completed

**PROJECTION FOR THE PERIOD June 7 – 13, 2022**

- PHASE 2 on hold
- Overall schedule is being revised to address the purge plan

**Other**

1. PHRT continues working with local counsel and real estate agent to secure the sites for 4 new Ambient Air monitoring (SO<sub>2</sub>/H<sub>2</sub>S) stations as per the 303 order and joint stipulation. Two locations are defined: working on developing site lease agreements.  
PHRT reviewed EPA's siting criteria for selecting the location of the new (4) SO<sub>2</sub>/H<sub>2</sub>S stations; PHRT still addressing 2 of the EPA's suggested sites as one is located near a USVI lift station that will affect the monitor reading, and the other that is located on the grounds of the USVI vocational complex to which PHRT will not have access necessary to service the monitor.
2. Unchanged from last week's report:
  - i. PHRT is continuing the process of reviewing all the environmental audit reports findings and recommendations for inclusion in the facility re-start plans under PHRT Phase 1 – Crude Unit – Topping operation.
  - ii. Coker, Amine unit and Sulfur Plant audit - resolution of the recommendations will be addressed prior to commissioning under PHRT Phase 2 operation (same report as last week)
  - iii. Becht Engineering is working on the following project (listing is not inclusive)
    - completed the computer simulation of the no 5 Crude unit tower; the same could meet product specification without modification at permit limits
    - Started developing the computer simulation based on 180,000 BPD permitted rate as the basis for:
      - a. Relief valve (scenario analysis) in progress
      - b. FGRU process design
      - c. Caustic Scrubber process design – in progress
      - d. Kero Merox process design – in progress

**Flare Gas Recovery System**

- Process engineering data are being put together to establish the process design for FEL and detailed engineering.
  - Process engineering data is based on LBR's CEMS report.
  - The CEMS data covers the period from January to May 12, 2021.
  - The periods were all the process units were in operations
  - Periods when the Platformer hydrogen was routed to flare and when it was routed to fuel gas system
  - PHRT will schedule a conference call with EPA during the week of June 13, 2022 to review the FGRU process design basis.
- From previous weekly report
  - Becht Engineering was issued a contract to develop the process design specifications.
  - Richard Engineering was issued a contract to develop the FEL and detailed engineering and design packages; once Becht Engineering completes the process design specification, Richard will utilize this design specification and develop the FEL.

**PORT HAMILTON REFINING AND TRANSPORTATION, LLLP (PHRT)**

Phase 2 Activity Report

June 20, 2022

ITEM DESCRIPTION: PROGRESS REPORT

GENERAL NOTES:

- **Refinery De-Inventory Plan Phase 2 continues to be on hold**
- De-inventory activities including the following items will not be executed at
  - ✓ Cold circulation
  - ✓ Hot circulation
  - ✓ Steam out
  - ✓ Purging
- The sequence of scheduled activities is expected to remain the same.
- Operation and Maintenance personnel have been reduced.
- PHRT will continue to monitor the units to ensure safety and stability.
- The No. 8 Flare will remain blinded and flare KO drums isolation valves car seal/chain lock closed.
- The overall plan to de-inventory Refinery units that was known as LBR – Phase 2 is being revised to prepare the Crude unit and associated process units (i.e., LPG Fract, Gas Recovery unit) for entry and internal inspection and repairs, if required.

HIGHLIGHTS – WEEK ENDING June 20, 2022, No. 8 Flare

- Period of June 14 to June 20, 2022
  - All process unit de-inventory activities remain on hold
  - No. 8 Flare system remains blinded including the purge gas line
  - No process units were opened to the flare
  - The flare KO Drums were also isolated (block valves before the flare blind) and all-process units were kept with corresponding flare heaters blocked in (single isolation)
  - No. 7 vaporizer and fuel gas system remained isolated
- Fuel Gas CEMS – Continuous Emissions Monitoring System
  - System continued to be isolated as the No. 7 vaporizer and fuel gas system were kept down while working on the No. 8 Flare CEMS and Panametric probes
- Flare 8 CEMS and Panametrics flow meter
  - CEMS remains lined up and undergoing routine calibration / preventive maintenance
  - No. 8 Flare CEMS - CGA (calibration gas audit) was conducted during the week of June 7, 2022 because the flare was not in service; upon return of the flare to normal service a RADA will be conducted
- No. 8 Flare Purging
  - Continued the nitrogen purge of the section of the flare header from the 48' blind to the flare tip maintaining 1-1.5 psig pressure
  - The Nitrogen Plan O2 control is being serviced as the oxygen went to 2.5 -3.5 % which will affect the Flare – CEMS O2 reading.
  - CEMS data sent to EPA for review
  - Preparations are being made to mechanically (water flush and hydro-blast) clean the piping from flare KO drum to the flare controls; this work is being defined without removing the 48-inch blind to the flare stack.
- H<sub>2</sub>S Scavenger system continued to be fully functional
- IoMosaic Independent Observer
  - Observer on standby, to be on site prior to re-initiating Phase 2 of the restart plan

**PORT HAMILTON REFINING AND TRANSPORTATION, LLLP**

**Phase 2 Activity Report**

**June 20, 2022**

- SO<sub>2</sub>/H<sub>2</sub>S Ambient Monitoring Stations Telemetry

**Station 1:**

06/10 – Exceedances – H<sub>2</sub>S

Tier 1 – 03:33, 04:07, 04:29, 04:39, 05:33, 06:03

06/11 – Exceedances – H<sub>2</sub>S

Tier 1 – 05:20

06/12 – 06/16 – No Exceedances.

06/17 - Exceedances – H<sub>2</sub>S

Tier 1 – 0:38

No Technical Issues to report

**Station 2:**

06/10 - 06/17 – No exceedances

Technical issues – Communication issues ongoing. PHRT met with Cellular provider for service to the Stations (Viya) on 06/20/22. Viya is researching communication issues and indicated that will get PHRT an update by Wednesday EOD.

**Station 3:**

06/10 - 06/17 – No exceedance issues

Technical issues - SO<sub>2</sub> High Flow Alarm – **Resolved with Honeywell Tech support help.**

Continue to restart gateway to reconnect Cellular Router daily.

Working with Viya (cellular provider) and Safe Environmental Engineering (SEE) on these issues. Issue is ongoing. PHRT met with Viya on 06/20/22. Viya is researching the communication issues and indicated that will get PHRT an update by Wednesday 06/22.

**Station 4:**

06/10 - 06/17 – No technical or exceedance issues

**Station 5:**

06/10 - 06/17 – No exceedance issues

Technical issues - We continue to have Maintenance Fault: High Flow on the SO<sub>2</sub> Monitor. (Honeywell Loaner) PHRT is working with Honeywell and has received a case number. PHRT is waiting on return of repaired SPM before shipping this one back.

NOTE: PHRT is working with Safe Environmental to address the discrepancies noted in EPA's monitors reading and PHRT field monitoring and analyzer readings; a technical meeting with EPA, Safe Environmental and PHRT is scheduled for June 22, 2022.

Process units remained the same as previous weeks

- No. 5 Crude Unit  
Ready to start heat-up and warm circulation
- No. 3 Vacuum  
Ready to start heat-up and warm circulation
- No. 4 Hydrobon  
Pump out step – 90% completed
- No. 4 Platformer Unit  
Pump out step – 90% completed
- No. 3 Hydrobon  
Completed pump out
- No. 6 DD – Distillate Desulfurizer  
Pump out – 80% completed
- No. 7 DD – Distillate Desulfurizer  
Pump out – 90% completed
- No. 9 DD – Distillate Desulfurizer  
Pump out – 100% completed

**PORT HAMILTON REFINING AND TRANSPORTATION, LLLP**

**Phase 2 Activity Report**

**June 20, 2022**

**PROJECTION FOR THE PERIOD June 21 - 28, 2022**

- PHASE 2 on hold
- Overall schedule is being revised to address the purge plan

**Other**

1. PHRT continues working with local counsel and real estate agent to secure the sites for 4 new Ambient Air monitoring (SO<sub>2</sub>/H<sub>2</sub>S) stations as per the 303 order and joint stipulation. Two locations are defined: working on developing site lease agreements.

PHRT reviewed EPA's siting criteria for selecting the location of the new (4) SO<sub>2</sub>/H<sub>2</sub>S stations; PHRT still addressing 2 of the EPA's suggested sites as one is located near a USVI lift station that will affect the monitor reading, and the other that is located on the grounds of the USVI vocational complex to which PHRT will not have access necessary to service the monitor.

2. Unchanged from last week's report:
  - i. PHRT is continuing the process of reviewing all the environmental audit reports findings and recommendations for inclusion in the facility re-start plans under PHRT Phase 1 – Crude Unit – Topping operation.
  - ii. Coker, Amine unit and Sulfur Plant audit - resolution of the recommendations will be addressed prior to commissioning under PHRT Phase 2 operation (same report as last week)
  - iii. Becht Engineering is working on the following project (listing is not inclusive)
    - completed the computer simulation of the no 5 Crude unit tower; the same could meet product specification without modification at permit limits
    - Started developing the computer simulation based on 180,000 BPD permitted rate as the basis for:
      - a. Relief valve (scenario analysis) in progress
      - b. FGRU process design
      - c. Caustic Scrubber process design – in progress
      - d. Kero Merox process design – in progress

**Flare Gas Recovery System (same as last week's report)**

- Process engineering data are being put together to establish the process design for FEL and detailed engineering.
  - Process engineering data is based on LBR's CEMS report.
  - The CEMS data covers the period from January to May 12, 2021.
  - The periods were all the process units were in operations
  - Periods when the Platformer hydrogen was routed to flare and when it was routed to fuel gas system
  - PHRT is scheduling a conference call with EPA during the week of June 20, 2022 to review the FGRU process design basis.
- From previous weekly report
  - Becht Engineering was issued a contract to develop the process design specifications.
  - Richard Engineering was issued a contract to develop the FEL and detailed engineering and design packages; once Becht Engineering completes the process design specification, Richard will utilize this design specification and develop the FEL.



**EXHIBIT 7 TO  
DECLARATION OF MYLES E. FLINT, II IN SUPPORT OF THE UNITED  
STATES' RESPONSE TO PORT HAMILTON MOTION FOR INFORMAL  
STATUS CONFERENCE**

**PORT HAMILTON REFINING AND TRANSPORTATION, LLLP (PHRT)**

Phase 2 Activity Report

June 27, 2022

ITEM DESCRIPTION: PROGRESS REPORT

GENERAL NOTES:

- **Refinery De-inventory Plan Phase 2 continues to be on hold**
- De-inventory activities including the following items will not be executed at
  - ✓ Cold circulation
  - ✓ Hot circulation
  - ✓ Steam out
  - ✓ Purging
- The sequence of scheduled activities is expected to remain the same.
- Operation and Maintenance personnel have been reduced.
- PHRT will continue to monitor the units to ensure safety and stability.
- The No. 8 Flare will remain blinded and flare KO drums isolation valves car seal/chain lock closed.
- The overall plan to de-inventory Refinery units that was known as LBR – Phase 2 is being revised to prepare the Crude unit and associated process units (i.e., LPG Fract, Gas Recovery unit) for entry and internal inspection and repairs, if required.

HIGHLIGHTS – WEEK ENDING June 20, 2022, No. 8 Flare

- Period of June 21 to June 27, 2022
  - All process unit de-inventory activities remain on hold
  - No. 8 Flare system remains blinded including the purge gas line
  - No process units were opened to the flare
  - The flare KO Drums were also isolated (block valves before the flare blind) and all-process units were kept with corresponding flare heaters blocked in (single isolation)
  - No. 7 vaporizer and fuel gas system remained isolated
- Fuel Gas CEMS – Continuous Emissions Monitoring System
  - System continued to be isolated as the No. 7 vaporizer and fuel gas system were kept down while working on the No. 8 Flare CEMS and Panametric probes
- Flare 8 CEMS and Panametrics flow meter
  - CEMS remains lined up and undergoing routine calibration / preventive maintenance
  - No. 8 Flare CEMS - CGA (calibration gas audit) was conducted during the week of June 7, 2022 because the flare was not in service; upon return of the flare to normal service a RADA will be conducted
- No. 8 Flare Purging
  - Continued the nitrogen purge of the section of the flare header from the 48' blind to the flare tip maintaining 1-1.5 psig pressure
  - The Nitrogen Plan O2 control is being serviced as the oxygen went to 2.5 -3.5 % which will affect the Flare – CEMS O2 reading.
  - CEMS data sent to EPA for review
  - Preparations are being made to mechanically (water flush and hydro-blast) clean the piping from flare KO drum to the flare controls; this work is being defined without removing the 48-inch blind to the flare stack.
- H<sub>2</sub>S Scavenger system continued to be fully functional
- IoMosaic Independent Observer
  - Observer on standby, to be on site prior to re-initiating Phase 2 of the restart plan

**PORT HAMILTON REFINING AND TRANSPORTATION, LLLP**

**Phase 2 Activity Report**

**June 27, 2022**

- SO<sub>2</sub>/H<sub>2</sub>S Ambient Monitoring Stations Telemetry

**Replaced SO<sub>2</sub> Chemcassettes in all 5 stations while making rounds Monday June 20<sup>th</sup>.**

**Station 1:**

06/17 – Exceedances – H<sub>2</sub>S

Tier 1 – 0:38

06/18 – No Exceedances - Technical Issue – Lost Cellular Communication 03:14

06/19 – No Data - Lost Cellular Communication 6/18

06/20 - Exceedances H<sub>2</sub>S

Tier 1 -21:43

Technical Issue - Reset Gateway Communication 13:23

06/21 - Exceedances – H<sub>2</sub>S

Tier 1 – 01:17, 01:45, 02:15, 04:58, 05:58

Tier 2 – 02:21, 02:42, 03:00, 03:09, 04:00

No Technical Issues to report

06/22 - Exceedances H<sub>2</sub>S

Tier 1 -0:16, 0:33, 01:13, 01:30, 01:56, 02:16, 02:59, 03:18, 03:57, 04:23, 04:43, 05:09, 05:48, 22:24, 22:54, 23:30

No Technical Issues to report

06/23 - Exceedances H<sub>2</sub>S

Tier 1 -0:49, 01:48, 02:30, 03:23, 04:28, 04:47, 04:51, 05:33, 06:03, 21:24

Tier 2 – 03:27

No Technical Issues to report

06/24 - Exceedances H<sub>2</sub>S

Tier 1 -23:17, 23:33, 23:54

No Technical Issues to report

**Station 2:**

06/17 - 06/24 – No exceedances

Technical issues – Communication issues ongoing. PHRT met with our Cellular provider for service to the Stations (Viya) the morning of 06/20/22. Viya is analyzing the data and will provide results early this week.

**Station 3:**

06/17 - 06/24 – No exceedance issues

Technical issues - Continue to restart gateway to reconnect Cellular Router daily. Viya is analyzing the data and will provide results early this week.

**Station 4:**

06/17 - 06/24 – No technical or exceedance issues

**Station 5:**

06/17 - 06/24 – No exceedance issues

Technical issues – Error on Smart Gateway (windows didn't load correctly). PHRT purchased Two (2) new Smart Gateways from Safe Environment, the gateways arrived on island Friday and awaiting customs clearance.

PHRT continues to have Maintenance Fault: High Flow on the SO<sub>2</sub> Monitor. (Honeywell Loaner) PHRT is working with Honeywell and has received a case number. PHRT is waiting on return of repaired SPM before shipping this one back.

**PORT HAMILTON REFINING AND TRANSPORTATION, LLLP**

**Phase 2 Activity Report**

**June 27, 2022**

Process units remained the same as previous weeks

- No. 5 Crude Unit  
Ready to start heat-up and warm circulation
- No. 3 Vacuum  
Ready to start heat-up and warm circulation
- No. 4 Hydrobon  
Pump out step – 90% completed
- No. 4 Platformer Unit  
Pump out step – 90% completed
- No. 3 Hydrobon  
Completed pump out
- No. 6 DD – Distillate Desulfurizer  
Pump out – 80% completed
- No. 7 DD – Distillate Desulfurizer  
Pump out – 90% completed
- No. 9 DD – Distillate Desulfurizer  
Pump out – 100% completed

**PROJECTION FOR THE PERIOD June 28 to July 4, 2022**

- PHASE 2 on hold
- Overall schedule is being revised to address the purge plan

**Other**

1. PHRT continues working with local counsel and real estate agent to secure the sites for 4 new Ambient Air monitoring (SO<sub>2</sub>/H<sub>2</sub>S) stations as per the 303 order and joint stipulation. Two locations are defined: working on developing site lease agreements.  
PHRT reviewed EPA's siting criteria for selecting the location of the new (4) SO<sub>2</sub>/H<sub>2</sub>S stations; PHRT still addressing 2 of the EPA's suggested sites as one is located near a USVI lift station that will affect the monitor reading, and the other that is located on the grounds of the USVI vocational complex to which PHRT will not have access necessary to service the monitor.
2. Unchanged from last week's report:
  - i. PHRT is continuing the process of reviewing all the environmental audit reports findings and recommendations for inclusion in the facility re-start plans under PHRT Phase 1 – Crude Unit – Topping operation.
  - ii. Coker, Amine unit and Sulfur Plant audit - resolution of the recommendations will be addressed prior to commissioning under PHRT Phase 2 operation (same report as last week)
  - iii. Becht Engineering is working on the following project (listing is not inclusive)
    - completed the computer simulation of the no 5 Crude unit tower; the same could meet product specification without modification at permit limits
    - Started developing the computer simulation based on 180,000 BPD permitted rate as the basis for:
      - a. Relief valve (scenario analysis) in progress
      - b. FGRU process design
      - c. Caustic Scrubber process design – in progress
      - d. Kero Merox process design – in progress

**Flare Gas Recovery System**

- PHRT and EPA/DOJ met to address the FGRU design basis utilizing January 2021 to May 2021 Flare CEMS data
  - The periods during which all process units were in operation
  - Periods when the Platformer hydrogen was routed to the flare and when it was routed to fuel gas system
- From previous weekly report
  - Becht Engineering was issued a contract to develop the process design specifications.
  - Richard Engineering was issued a contract to develop the FEL and detailed engineering and design packages; once Becht Engineering completes the process design specification, Richard will utilize this design specification and develop the FEL.

**PORT HAMILTON REFINING AND TRANSPORTATION, LLLP**

**Weekly Activity Report**

**April 24, 2023**

ITEM DESCRIPTION: PROGRESS REPORT

**GENERAL NOTES:**

- With the exception of the LPG and Amine removal under the AOC, which is discussed below, the Refinery De-Inventory Plan continues to be on hold. De-inventory activities including the following items will not be executed
  - ✓ Cold circulation
  - ✓ Hot circulation
  - ✓ Steam out
  - ✓ Purging
- PHRT will continue to monitor the units to ensure safety and stability.
- The No. 8 Flare will remain blinded and flare KO drums isolation valves car sealed/chain locked.

**HIGHLIGHTS – WEEK ENDING April 24, 2023:**

- No de-inventory activities were performed

**SO<sub>2</sub>/H<sub>2</sub>S AMBIENT MONITORING STATIONS TELEMETRY**

Weekly Observations of the PHRT Ambient Monitoring Stations – April 15 through April 21, 2023.

**Technical and Monitoring Report – H<sub>2</sub>S and SO<sub>2</sub>**

**Station Site 1:** Tier 1 readings: **4/17/23** 02:04; 03:11; 03:39; 04:30; 05:03; 06:28 - **4/20/23** 22:15; **4/21/23** 01:20; 02:01; 03:19; 03:57; 04:18  
Tier 2 readings: **4/17/23** 03:33; **4/21/23** 04:08  
Communication Failure: 4/16/23 21:11 - 4/18/23 09:42 (island power outage)

**Station Site 2:** No Tier 1 or 2 readings  
Communication Failure 4/16/23 12:57 - 4/17/23 11:17 (island power outage)

**Station Site 3:** No Tier 1 or 2 readings  
Communication Failure 4/16/23 19:07 - 4/17/23 12:30 (island power outage)

**Station Site 4:** No Tier 1 or 2 readings  
Communication Failure 4/18/23 23:12 - 4/20/23 10:38 (island power outage)

**Station Site 5:** No Tier 1 or 2 readings  
Communication Failure: 4/17/23 1:07 - 4/18/23 9:01 (island power outage)

**PROJECTION FOR THE PERIOD April 25 to May 1, 2023**

1. PHRT continues working with local counsel and real estate agent to secure the sites for 4 new Ambient Air monitoring (SO<sub>2</sub>/H<sub>2</sub>S) stations as per the 303 order, joint stipulation, and Section 114 request. Two locations are identified: working on developing site lease agreements.
  - a. PHRT reviewed EPA's siting criteria for selecting the location of the new (4) SO<sub>2</sub>/H<sub>2</sub>S stations; PHRT still addressing 2 of the EPA's suggested sites. One is located at a school (Country Day) to which PHRT will not have access and is near a USVI lift station that could affect the monitor reading, and the other is located on the grounds of the USVI vocational complex to which PHRT will not have access necessary to service the monitor.
2. Flare Gas Recovery System
  - a. PHRT and EPA/DOJ met to address the FGRU design basis utilizing January to May 2021 Flare CEMS data which included the periods during which all process units were in operation, when the Platformer hydrogen was routed to the flare, and when it was routed to fuel gas system
  - b. Becht Engineering was issued a contract to develop the process design specifications.

**PORT HAMILTON REFINING AND TRANSPORTATION, LLLP**

**Weekly Activity Report**

**April 24, 2023**

- c. Richard Engineering was issued a contract to develop the FEL and detailed engineering and design packages; once Becht Engineering completes the process design specification, Richard will utilize this design specification and develop the FEL.
3. EPA installed ambient air monitors inside the refinery units and along the PHRT and OPT fenceline; EPA representatives on site are checking them regularly.
4. PHRT is preparing to dispose of the following substances left by the prior refinery owner in the facility:
  - Coke – PHRT is inquiring with potential buyers
  - Sulfur pellets – bagged to be sent off island as product
  - Ammonia in storage – the ammonia will be safely removed in accordance with the 12/5/22 AOC.
5. Permit applications for Authorities to Construct and Permits to Operate equipment required for LPG and Amine removal under the AOC were submitted to DPNR, and forwarded to U.S. EPA, on Friday, March 31, 2023.
6. Clean Harbors arrived on site on March 13 and commenced detailed planning for Amine removal. Scaffold is being built and some lines are being blinded in preparation for connections. Removal of rich amine is scheduled to begin on April 25th, pending approval by EPA of HSE plan and Operational procedures.